

DOMESTICS' CROSS-CULTURAL NEWS

INTERCEDE for the Rights of Domestic Workers, Caregivers, and Newcomers

November 2002

Toll Free 1-877-483-4554



RENEWING YOUR WORK PERMIT? HERE ARE POINTERS

In his talk with caregivers who attended INTERCEDE's Annual General Meeting on October 6, Jim Campbell, the Regional Manager for Selection, Integration and Refugee Operations of Canada Immigration and Citizenship, gave some pointers for those renewing their work permit or employment authorization.

If a caregiver in the Live-in Caregiver Program (LCP) is renewing a work permit with the same employer, there is no longer any need to have a "confirmation" approved by Human Resources Development Canada (HRDC). Campbell noted that the term "validation" is no longer being used and has been replaced by the term "confirmation" of employment.

However, every application for a new work permit or employment authorization or for its renewal must be accompanied by a signed employer/employee Contract or an updated Contract. Without an attached contract, the application will not be processed and will cause undue delay in receiving a new or renewed permit.

If a Caregiver is renewing a work permit to work for a new employer, then the employer must first apply for "confirmation" at HRDC and most of the criteria for approval will apply as before.

Campbell cautioned that caregivers must apply for renewal of work permit at least one month before its expiry. Even if the permit is not received in time, the post mark on the envelope containing the application will prove that an application was sent before expiry. This means that the caregiver will have "implied status" and will not be in any violation of the LCP.

An important note of caution: A caregiver must always ensure that her work permit is valid even if she has already submitted an application for permanent residence. For example, if her current work permit expires on the day that she has completed 24 months in the LCP and she applies for permanent residence immediately, it does not mean that she does not have to apply for a renewal of her work permit one month before such expiry. Applying for permanent residence does not automatically

extend the validity of the work permit and one could still get into trouble without a valid work permit.

As soon as an application for permanent residence is "approved in principle", a caregiver can proceed to apply for an open employment authorization or open work permit. But while this open work permit is in process, the caregiver must still have a valid work permit in the LCP.

An "approval in principle" of an application for permanent residence does not mean that the application is assured of success. The success of the application will still depend on fulfilling the rest of the requirements such as medical and security clearances.

At the conclusion of his talk, Campbell proposed a more regular exchange of information between representatives of Canada Immigration and Citizenship and INTERCEDE so that problems arising out of the recently passed Immigration Regulations which affect caregivers and other newcomers can be aired and ironed out and kinks in the system can be hopefully fixed.

This was met with wide applause from the audience and much anticipation from INTERCEDE officers and staff members.

Meanwhile INTERCEDE will be providing caregivers with model contracts on which they can pattern their employer-employee agreements.



A GIFT IDEA!

INTERCEDE Caregivers' Safety Check List and Calendar

is now on sale for \$10.00 each

What a nice gift for friends this coming Christmas and all year round! Please call Genie at 416-483-4554 ext. 21 for further information.

*All Domestic/Caregiver workers,
Newcomers and those on Temporary Work
Permit are welcome to attend*

INTERCEDE MEETING Every First Sunday of the Month

(if holiday, meeting is on the second Sunday)

Apply or renew you membership - \$10.

Sunday, Nov 03, 2002, 3-5 p.m.
At Cecil Community Centre, 58 Cecil St.
(one block south of College cor. Spadina)

CAREGIVERS' PROTECTION UNDER EMPLOYMENT STANDARDS ACT

Guest Speaker from Ministry of Labour

**KEY PROVISIONS UNDER ONTARIO'S
EMPLOYMENT STANDARDS ACT
(4th of a series, continued from Aug-Oct issues)**

On September 4, 2001, a new Employment Standards Act (ESA) took effect in Ontario. This is the fourth installment of a series, begun in August, in which key provisions of the ESA are explained for the information and protection of domestic and caregiver workers, whether live-in or live-out, and whether they are still or no longer under Immigration's Live-in Caregiver Program.

Termination pay

After you have worked three months for the same employer, you have right to one week of notice in writing if your employer no longer wants to continue your employment. If no written notice was given, then you have the right to be paid one week of termination pay which should be equal to your regular one week's salary.

If you have been employed for a longer period, you should receive termination pay equivalent to the number of weeks' notice you are entitled to, as follows:

| | |
|---|--|
| Employed more than one year and less than 3 years | 2 weeks of written notice or termination pay |
| more than 3 years and less than 4 years | 3 weeks of written notice or termination pay |
| more than 4 years and less than 5 years | 4 weeks of written notice or termination pay |
| more than 5 years and less than 6 years | 5 weeks of written notice or termination pay |
| more than 6 years and less than 7 years | 6 weeks of written notice or termination pay |
| more than 7 years and less than 8 years | 7 weeks of written notice or termination pay |
| 8 years or more | 8 weeks of written notice or termination pay |

Statement of Wages

On or before your payday, the employer is obliged by law to give you a written statement which contains the following:

- pay period for which wages are being paid
- your wage rate or pay per hour
- the gross amount of wages owed to you and how it was calculated including overtime and vacation pay
- the amount and purpose of each deduction
- the amount for room and board
- the net amount of wages

The employer is supposed to withhold deductions for your Income Tax, Canada Pension Plan (CPP) and Employment Insurance which he must submit together with his own contributions, to Revenue Canada each month. Other than these deductions plus your Room and Board, the employer cannot deduct anything else from your wages except under special circumstances provided in law. No deduction can be made, for example, because your work was "faulty" or your employer lost a property.

The Absentee Vote (for overseas Philippine Citizens)

THE CLEANSING FACTOR IN OUR ELECTORAL PROCESS

*(Explanation of the affirmative vote of Senator Nene Pimentel on October 21, 2002
when the Absentee Voting Bill was considered for passage in the Philippine Senate)*

I vote in favor of the absentee voting bill.

Constitutional mandate - I vote in favor because granting the right to vote to overseas Filipinos is mandated by the 1987 Constitution. If we do not give them the vote, we ignore at our peril, the constitutional mandate. I vote in favor because enfranchising the overseas Filipino is long overdue. If we do not enfranchise them now, it would in effect be denying them justice for 15 unjust long years.

Legal Nexus - I vote in favor because enabling them to vote is the legal nexus, the legal bond, the legal connection that makes them sovereign citizens of the land. If we do not allow them the vote, they would in effect become stateless person, the modern equivalent or the reincarnation of the fabled wandering Jew, a rootless vagabond, without any home state he or she could claim as his or her native land.

Also to **permanent residents** - I vote in favor of granting the

vote even to those who are permanent residents of other lands. I make of record here that I have a daughter who is a green card holder in the US. I do so to comply with the rules that require us to do so. If the proposal to recognize dual citizenship could apparently gain ground in this chamber, then why should anyone begrudge the grant of the absentee vote to our citizens who have merely acquired permanent residency status?

Rectifying lack of representation - I vote in favor of granting overseas Filipinos the right to vote not only for the presidential and the vice presidential candidates but also for the senatorial and the party-list candidates for congress. If we limit the overseas vote to the president and the vice president, we are in effect denying overseas Filipinos the right to choose their representation in Congress particularly in relation to the election of their party-list candidates. Party-list representation in congress is a general means of rectifying the perceived lack of

congressional representation of the so-called marginalized sectors of society, in which category under the circumstances the overseas Filipinos would certainly fall. Granting overseas Filipinos the right to vote for senators would enable them to participate in choosing their representatives in the upper chamber of the legislature. (Continued next issue)



ANNUAL GENERAL MEETING EVENTS

INTERCEDE is proud to announce that our October 6, 2002 Annual General Meeting (AGM) was a success. The main events at the AGM included a talk by guest speaker, Mr. Jim Campbell, CIC Regional Manager of Selection, Integration and Refugee Operations, who spoke about the recent changes to Canada's immigration regulations and their impact on Live-in Caregivers; election of INTERCEDE's new Board Members; and the final draw of INTERCEDE's fundraising lottery.

New Directorate

Elected to Intercede's Board of Directors were Martha Ocampo, and Maria Belgrave. While Belgrave is starting her first term, Ocampo was previously a Board member and treasurer until 2001. Re-elected for another two-year term is Elizabeth Salvilla, who served as Treasurer last year. Staying on as Board Members are Christe Okonkwo, Ma. Estrelita Castro, Cecille Ban-Ang, and Manuel Mores

Lucky Winners

The excitement over Intercede's raffle draw came to a peak with the announcement of the following winners:

1st Prize: Yolanda Ortiola (# 0877) Round Trip Ticket, 1week inclusive, to Cancun Mexico

2nd Prize: Ester Alba (#0838) Round Trip Ticket, 1week inclusive, to Orlando, (Disneyland), Florida

3rd Prize: Walter Hynes (#1676) \$500.00 Cash

Consolation Prizes were garnered by:

Jean Jovero (#4715) Gift Certificate from Forex Toronto Door to Door Cargo and Money Remittance

Caridad Navarro (#0963) Gift Certificate from Forex Toronto Door to Door Cargo and Money Remittance

Josephine Pamasen (#2035) Gift Certificate \$50.00 worth of grocery goods from Atin Ito Filipino Store

Joanne Eidinger (#4010) Gift Certificate \$30.00 worth of Floral Cake at Gold Ribbon Bakery Café.

Thank you to Donors and Sponsors

Forex Toronto - Two Gift Certificates (Free *Balik-Bayan* Box Freight Fee)

Philippine Tropical Express - \$100.00 Cheque

Pure Crystal Water - Five cases of individual bottled water

Atin Ito Filipino Store - \$50.00 Gift Certificate

Gold Ribbon Restaurant - \$30.00 Gift Certificate



JSW Participants' Corner

Where do I go from here?

Ever since I came to Canada, the big question I always asked myself was, "What do I do after I am finished working under the Live In Caregiver Program?"

I was feeling clueless and anxious about where to go or what to do after the Live-in Caregiver Program. My friend suggested that I attend the Job Search Workshops (JSW) at INTERCEDE. This is the first program I attended since coming to Canada. I had many questions about starting a life here in Canada and through INTERCEDE's JSW program I found answers. Making goals, finding my interests, and having my skills reassessed helped me decide how to start my life here. It can be tough to settle in Canada, if you do not have Canadian work experience. Through JSW I was able to handle the dreaded question, "Do you have Canadian work experience?". I've come to learn that there are workable solutions on how to prepare for this commonly asked interview question.

I started taking steps in utilizing the tools I got from JSW. I am now enrolled in a computer literacy and English as Second Language program. INTERCEDE's JSW helped me network with other agencies and programs. Networking is important and useful in finding better employment opportunities, meeting new people, and making friends. On weekends, I look forward to the short courses that I am now enrolled in, rather than going to the mall and watching the day waste away. I know my efforts in following my plan of action will eventually pay off and hopefully I will find the job most related to my interests and skills. (Jean Soluta)

Knowing my rights is a liberating experience

Greetings to all the staff at INTERCEDE!

I would like to thank you for following up and keeping in touch with the newcomers long after the JSW is over. On the whole, I'm doing well and am still in the process of completing the requirements of the Live-in Caregiver Program.

I would like to thank INTERCEDE for all the information that was given to me during the Job Search Workshop. JSW has been a really a great help for those of us who are new in Canada. Thank you for your time and all the support you've given us. Knowing my rights as a nanny is a liberating experience because I am now able to discuss openly with my employer about my legal working hours and how to refuse demands after the agreed working hours.

I hope you continue to help other caregivers like me to become aware and to be free to talk to their employers and let them be aware of the rights of a caregiver. I thank God, because He provides guidance despite the trials that have come my way. Through your program He showed the way to cope with my problems at work, and with whatever trials I have. (Nora Magdirila)



COCO'S CORNER:

Q I have been a landed immigrant under the LCP in Canada since May. According to the new rules, can I visit my country of origin and stay for longer than 6 months? How can I apply for a Maple Leaf card?

A The new residency requirements for landed immigrants require them to spend two out of five years in Canada in order to maintain status. The old rule which limited them to only a six-month period outside the country is no longer in effect.

Maple Leaf cards (wallet-sized identity cards) for permanent residents are now issued to new immigrants. Other previously landed immigrants can apply for their cards after October 15. Your old form IMM-1000 (Record of Landing) will no longer be valid for travel after December 2003. In your case you can still use your IMM-1000 to travel and you may also apply for the maple leaf card by contacting (416) 973-4444, the Card Call Centre at 1-800-255-4541, or obtain an application form at www.cic.gc.ca.



INTERCEDE

Address: 234 Eglinton Avenue East, Suite 205
Toronto Ontario
M4P 1K5

Regular Hours: Mon-Fri 9 am - 4 p.m.
Telephone: (416) 483-4554
Fax: (416) 483-9781
Toll-Free: 1-877-483-4554
E-mail: info@intercedetoronto.org

INTERCEDE STAFF:

- Fely Villasin - Coordinator
- Des Balce - JSW Facilitator
- Columbia Diaz - Settlement Counsellor
- Anita Fortuno - Settlement Counsellor
- Salma Saadi - Settlement Counsellor
- Genie Policarpio - Intake & Administrative Assistant

INTERCEDE invites everyone to our Christmas Pot Luck and Gift Exchange

on
Sunday, December 1, 2002
3 - 6 p.m.

at Cecil Community Centre, 58 Cecil St.

FREE JOB SEARCH WORKSHOP

FOR NEWCOMERS

When: Tuesdays and Thursdays
January 14, 16, 21 & 23
February 11, 13, 18 & 20
Time : 2:00 p.m. to 6:00 p.m.

Where: INTERCEDE
234 Eglinton Ave. East, Suite 205
(Eglinton & Mt. Pleasant)
Toronto, On. M4P 1K5

FOR CAREGIVERS

WHEN: Sunday
January 12, 19, 26 & Feb. 2
February 9, 16, 23, & Mar. 2

TIME : 11:00 a.m. to 5:00 p.m.

WHERE: George Brown College
St. James Campus
200 King St. East,
3rd Floor, Rm. 352 E

Please call (416)483-4554 ext. 21 to sign up.
Seating is limited.

Funded by Citizenship and Immigration Canada & sponsored by COSTI & OCASI

We wish to thank: Citizenship and Immigration Canada - ISAP Program and Job Search Program with COSTI-OCASI; Ontario Status of Women; the Municipality of Toronto CSGP, Access & Equity and "Breaking the Cycle of

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